

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NORTH AMERICAN CAPACITY  
INSURANCE COMPANY,

No. C 03-5521 WDB

Plaintiff,

ORDER FOLLOWING SEPTEMBER  
16, 2005, CASE MANAGEMENT  
CONFERENCE

v.

TURNER CONSTRUCTION  
COMPANY, et al.,

Defendants.

On September 16, 2005, the Court conducted a further Case Management Conference in the above-referenced case. For reasons articulated more thoroughly on the record, the Court ORDERS as follows:

**1. Defendant Turner Construction Company**

By September 30, 2005, plaintiff must e-file and serve a written submission which either (i) identifies the 'additional' actions in which Turner has been named as a potentially responsible party, or (ii) must state that it has identified no additional actions in which Turner is involved and must propose a date certain by which it will dismiss Turner from the instant lawsuit.

**2. Defendant James E. Roberts-Obayashi Corporation**

By September 30, 2005, defendant must e-file and serve a written submission which identifies the 'additional' actions, if any, in which it has been named. If defendant's submission contends that it has identified no additional actions in which it has been named, by October 6, 2005, plaintiff must either (i) dispute defendant's contention and identify the

1 other actions in which Turner has been named, or (ii) must agree with Roberts-Obayashi's  
2 contention that it has not been named in any additional actions and must set forth a date  
3 certain by which it will dismiss Roberts-Obayashi from the instant lawsuit.

4 **3. Defendant Zurich American Insurance Company**

5 **Before September 30, 2005**, plaintiff and defendant must meet and confer regarding  
6 defendant's allegedly unmet informational needs. After defendant describes, in detail, its  
7 informational needs, plaintiff must take all reasonable steps to satisfy those needs. **By**  
8 **October 6, 2005**, plaintiff and defendant must e-file a joint statement informing the court (i)  
9 of the progress made in meeting defendant's informational needs, and (ii) identifying the  
10 steps, if any, that remain necessary to finalize completion of the parties' tentative settlement.

11 **4. Further Case Management Conference**

12 If, after review of the above-described submissions, the Court decides that it is  
13 necessary to conduct a further Case Management Conference, the Court's administrative law  
14 clerk will schedule such a conference.

15 IT IS SO ORDERED.

16 Dated: September 19, 2005

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19 WAYNE D. BRAZIL  
20 United States Magistrate Judge

21 Copies to: Parties, WDB, stats.  
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